

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GARY S. BEDOW,)
)
Plaintiff,) Case No. 1:12-cv-70-SJM-SPB
)
v.)
)
WARREN COUNTY PRISON, et al.,)
)
Defendants.)

MEMORANDUM ORDER

Plaintiff's civil rights complaint was received by the Clerk of Court on March 5, 2012 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on November 19, 2012 [3], recommends that the case be dismissed without prejudice due to Plaintiff's failure to serve Defendants in accordance with Rule 4(m) of the Federal Rules of Civil Procedure. Plaintiff was allowed fourteen (14) days from the date of service in which to file objections. Service was made electronically on Plaintiff through his attorney of record. No objections to the Report and Recommendation have been filed to date. After de novo review of the complaint and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 4th Day of January, 2013;

IT IS ORDERED that the within case shall be, and hereby is, DISMISSED without prejudice due to Plaintiff's failure to serve Defendants in accordance with Rule 4(m) of the Federal Rules of Civil Procedure.

The Report and Recommendation of Magistrate Judge Baxter, filed on November 19, 2012 [3], is adopted as the opinion of this Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN
United States District Judge

c: James J. Stuczynski, Esq.
U.S. Magistrate Judge Susan Paradise Baxter